

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
)
)
v.) No. 1: 03-cr-106
)
) *Edgar*
ANTONIO BEASLEY)

MEMORANDUM AND ORDER

This case came before the Court on May 5, 2005, pursuant to 18 U.S.C. § 4241(a) and 18 U.S.C. § 4247(d) for a hearing on defendant's mental competency. A Forensic Report was received by the court and filed on February 11, 2005 [Doc. No. 31]. This report concludes that the defendant is not suffering from a severe mental disease or defect, and is capable of understanding the nature and consequences of the proceedings against him, and of assisting properly in his defense. According to this report, defendant's problem is substance abuse, along with antisocial personality disorder.

At the hearing the author of the above report, Kevin J. McBride, testified by telephone hookup. Dr. McBride, who is a Board Certified Forensic Psychologist, essentially confirmed the conclusions reached in his report. He also testified that in fact the defendant has no mental or defect whatsoever. Defendant also testified. His testimony reveals that he does have a good understanding of the nature and consequences of the proceedings against

him, and that he can assist properly in his defense. While defendant may be difficult to get along with, this does not mean that he cannot assist his attorney.

For all of the above reasons, the court **FINDS** that the Antonio Beasley has not shown by a preponderance of the evidence that he is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. 18 U.S.C. § 4241(d). A separate scheduling order for the disposition of this case will be entered.

SO ORDERED.

ENTER this *6th day of May, 2005.*

/s/ R. Allan Edgar
R. ALLAN EDGAR
CHIEF UNITED STATES DISTRICT JUDGE